



Minutes of meeting held at Sheriff Robert R. Walton's Office on May 20, 1976 at 3:10 P.M.

9991

Present: Major Carl Glover, U. S. Army; Russell Diefenback, U.S.E.P.A.; Joe Moore, O.E.P.A.; Attorney George Sheehan, O.E.P.A.; Det. Sgt. Tom Deaton, Maj. John Bohlen, Sheriff Walton, Judge Robert Marrs and Mary Kucer, secretary.

Judge Marrs: Mr. Moore, please stand up. Do you solemnly swear that all the material that is contained within this Application and Affidavit For a Search Warrant is true to the best of your belief and knowledge, so help you God?

Mr. Moore - I do.

Judge: You may be seated. I have certain questions. First you state in your Affidavit that you were lawfully on the premises to be searched. Why do you make such a statement that you were lawfully on that premises?

Mr. Moore - that was on April 26th and we were there under a previous search warrant. The authority was by Judge Cramer.

Judge: In other words, that is where you made the determination that you were lawfully on the premises.

Mr. Moore - that is correct.

Judge: And likewise, these exhibits of affidavits - were those the ones that you executed in front of Judge Cramer?

Mr. Moore - Yes, Exhibits 3 and 4 in front of Judge Cramer and Exhibit 1 in front of you previously.

Judge: I see, all right. Now, are you acquainted with Ken M. Harsh?

Mr. Moore - Yes I am, he works out of our district office with me.

Judge: And, ah, he has worked with you on these various investigations, is that correct?

Mr. Moore - Yes he has.

Judge: Is he a chemist as well?

Mr. Moore - I do not know exactly his title but he works in Biology, stream sampler, and he does do waste sample, determination

Judge: And you have had some conversations with him pertaining to this information that you have alleged here?

Mr. Moore - Yes, I have.

Judge: And now, you have been on these premises before, is that correct--and there has been some delay as a result of your visiting these premises and learning that there was some possibility of other material being on this premise that you are about to search, is that correct?

Mr. Moore - Yes, that is correct.

Judge: And you have contacted the United States Army relative to and asked assistance from them pertinent to the location of this other material that is supposed to be on the premises?

Mr. Moore - That is correct.

Judge: And are they going to assist you in conducting this search?

Mr. Moore - Yes, they are going to precede us to determine of any hazardous or conditions that could be harmful to anyone digging or excavating or walking on the premises before we go in and actually secure the material that we are looking for.

Judge: And this team would be under the command of Major Glover, is that correct?

Mr. Moore - Yes it is. He is here and present.

Judge: Alright, I think that's all. Major Glover, would you please stand up. Do you solemnly swear that the assistance and the conversation that you had with Mr. Moore with regard to this matter and all the questions that are asked of you will be true, so help you God?

Major Glover - I do.

Judge: Alright sir, just be seated. As your name is mentioned in this Affidavit to Search these premises - the Affidavit is being issued to Mr. Myron J. Moore of the Ohio Environmental Protection Agency..

it is my understanding that you are here to assist Mr. Moore in

searching these premises.

Judge: And sir, how long have you been in this type - I see that you are with the United States Army Technical - sir, how long have you been in this type of work?

Major Glover - Off and on about 12 years.

Judge: And what type of training have you had with regard to the searching for dangerous material?

Major Glover - I have completed the explosive ordinance disposal course at Indian Head, Maryland which is a 9 months course --I am presently qualified in that area.

Judge: When you say you are qualified---what respect do you mean?

Major Glover - You are required to attend a refresher course every three years to....

Judge: And that constitutes your qualifications?

Major Glover - Yes sir, after you finish the basic course....

Judge: Alright---and likewise, did you have dealings in chemical warfare and that type of thing?

Major Glover- Yes sir. I have a BS Degree in Chemistry, I am a Chemical Officer in the United States Army in which we have training within the Chemical Corps that is to include the initial entry into the service at a 9 months course and once you get com-grade officers it's another 9 month course.

Judge: All right sir, I think that will be sufficient. Now, Mr. Moore, would you sign this for us please.

Mr. Moore signed at 3:17 P.M. Judge Marrs signed at 3:19 P.M.

Judge: I authorize this search warrant to be/^acontinuing one starting in the daytime but if necessary to continue on with the search throughout the night time season.

Judge: Mr. Moore, please make return within the next 3 days.

The foregoing minutes are a true and exact copy of the minutes taken in the office of Sheriff Robert R. Walton on Monday, May 10th from 3:10 P.M. to 3:22 P.M.

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND AND SEAL THIS 11th day of May, 1976.


Mary E. Kucer

MARY E. KUCER
Notary Public, Butler County, Ohio
My Commission Expires January 11, 1979